

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CARL HODGE,

Plaintiff,

v.

WARDEN OF DAUPHIN COUNTY  
PRISON, *et al.*,

Defendants.

No. 3:19-CV-01573

(Judge Brann)

(Magistrate Judge Saporito)

**ORDER**

**AUGUST 12, 2021**

Plaintiff filed the instant action on September 11, 2019, and it was jointly assigned to the undersigned and to a magistrate judge. Upon designation, a magistrate judge may “conduct hearings, including evidentiary hearings, and . . . submit to a judge of the court proposed findings of fact and recommendations.”<sup>1</sup> Once filed, this report and recommendation is disseminated to the parties in the case who then have the opportunity to file written objections.<sup>2</sup>

On July 14, 2021, Magistrate Judge Joseph F. Saporito, to whom this matter is jointly assigned, issued a thorough report and recommendation recommending that the case be closed.

No objections to the report and recommendation have been filed. For portions of the report and recommendation to which no objection is made, the Court should, as

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<sup>1</sup> 28 U.S.C. § 636(b)(1)(B).

<sup>2</sup> 28 U.S.C. § 636(b)(1).

a matter of good practice, “satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”<sup>3</sup> Regardless of whether timely objections are made by a party, the District Court may accept, not accept, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.<sup>4</sup>

Because I write solely for the parties, I will not restate the facts, but will instead adopt the recitation of facts as set forth by the magistrate judge. I have conducted a de novo review here and found no error.

**AND NOW, IT IS HEREBY ORDERED** that:

1. Magistrate Judge Saporito’s Report and Recommendation (Doc. 43) is

**ADOPTED in full.**

2. The “John Doe” and “Jane Doe” defendants are **DISMISSED** from the case.

3. Summary judgment is **GRANTED** in favor of Defendant Brian Clark.

The Clerk of Court is directed to enter judgment in favor of Defendant Brian Clark and against Plaintiff.

4. The Clerk of Court is directed to close the case file.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann  
Chief United States District Judge

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<sup>3</sup> Fed. R. Civ. P. 72(b), advisory committee notes; *see also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010) (*citing Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that judges should give some review to every report and recommendation)).

<sup>4</sup> 28 U.S.C. § 636(b)(1); Local Rule 72.31.